

EXHIBIT 8

Excerpts from Deposition Transcript of Taffye Clayton

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:14-CV-00954-LCB-JLW

STUDENTS FOR FAIR
ADMISSIONS, INC.,

Plaintiffs,

vs.

UNIVERSITY OF NORTH
CAROLINA, et al.,

Defendants.

AMENDED DEPOSITION
OF
DR. TAFFYE BENSON CLAYTON

THIS DEPOSITION CONTAINS HIGHLY CONFIDENTIAL AND
PROPRIETARY INFORMATION AND IS SUBJECT TO A PROTECTIVE
ORDER RESTRICTING PUBLIC DISCLOSURE OF ITS CONTENTS

TAKEN AT THE OFFICES OF:
UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
222 East Cameron Avenue
110 Bynum Hall
Chapel Hill, NC 27514

05-24-17
8:55 A.M.

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1 Q. Okay.

2 A. And we customarily would receive
3 informal input about campus climate from various
4 groups on campus.

5 Q. Okay. When you said -- I believe you
6 said Institutional Research?

7 A. Yes.

8 Q. You mean the Office of Institutional
9 Research and Assessment?

10 A. Yes.

11 Q. Okay. Great. Thank you for clarifying.

12 A. Uh-huh (yes).

13 Q. Okay. You mentioned that there was a
14 campus climate study in progress when you left?

15 A. There was a clampus (sic) climate study,
16 yes, under development.

17 Q. Under development. Do you know wether
18 that study was ever actually implemented?

19 A. I don't know.

20 Q. Would -- don't know. I think that you
21 also mentioned that DMA also in somewhat of a less
22 formal way received information about the campus
23 climate.

24 A. Uh-huh (yes).

25 Q. Could you tell me a little bit about

1 that?

2 A. Sure. The institution has a number of
3 different faculty and staff caucuses or groups.
4 There is the Native Caucus, the LGBTQ Caucus,
5 Latino Caucus, Black Caucus. There are a variety
6 of different student organizations. There's the
7 Faculty Committee -- Governance Committee on
8 Community and Diversity. And so there were
9 various inputs for information to include
10 individual sort of reports of experiences around
11 climate as well.

12 Q. Okay. And when you -- sorry -- so it
13 sounds like you mentioned that there are a number
14 of, I want to make sure I say this right, faculty
15 and staff caucuses and student organizations.

16 A. Yes.

17 Q. And do you mean that they would have had
18 information solicited from them or that they would
19 just report on their own to DMA?

20 A. They would report on their own.

21 Q. Okay. Things that they observed about
22 the campus climate.

23 A. Things that they observed, their lived
24 experiences, those things.

25 Q. Okay. Did DMA do anything else to

1 (Witness complied)

2 Q. Okay. This says "Goal Two" here and
3 I'll read it.

4 A. Okay.

5 Q. "Achieve the critical masses of
6 underrepresented populations necessary to ensure
7 the educational benefits of diversity in faculty,
8 staff, students and executive, administrative and
9 managerial positions."

10 Did I read that correctly?

11 A. You did.

12 Q. Thanks. So we've talked a bit about
13 critical mass, but I wanted to talk a little bit
14 now about the educational benefits of diversity.

15 A. Okay.

16 Q. Can you tell me what those educational
17 benefits are?

18 A. Sure. They range from the ability of
19 students and other individuals to be able to
20 navigate across lines of difference, which is
21 particularly important in an increasingly diverse
22 society and a global economy.

23 It -- those benefits include things like
24 increased interpersonal capacity and comfort.
25 They include cognitive skill, development around

1 critical thinking, around problem solving and
2 contribute to increased creativity and innovation.
3 Well researched. Scott Page, Jeff Milam, Darryl
4 Smith.

5 Q. Okay. Let's take a look at those types
6 of benefits one by one a little bit. I think the
7 first thing you mentioned was interpersonal
8 capacity and comfort.

9 A. Uh-huh (yes).

10 Q. Did I say that right?

11 A. Uh-huh (yes).

12 Q. Okay. Could you tell me what you mean
13 by that?

14 A. Having knowledge of an individual who is
15 different from you and engaging that individual in
16 ways that allows for the development of
17 interpersonal exchanges, interpersonal, in some
18 case, relationship building.

19 Q. Okay.

20 A. And the ability to -- to navigate pretty
21 effectively.

22 Q. So, just want to make sure I understand.
23 Does this mean in terms of interpersonal skills
24 relating to people across different lines in terms
25 of different types of diversity?

1 A. Repeat that, please?

2 Q. Okay. I'm -- I'm trying to understand
3 what you mean by all that as you discuss
4 interpersonal capacity and comfort. Does that
5 relate to an individual's skill or ability in
6 terms of interacting or relating to others across
7 different lines of diversity?

8 A. Absolutely. If I'm a civilian and put
9 in the role of the person who's in the military
10 and we exchange and share any number of things
11 about ourselves or whatever that looks like in
12 terms of the diversity that may be represented.
13 In many cases the diversity is intersectional, so
14 people come with a variety of different
15 identities.

16 The ability to engage with one another,
17 individual to individual, begins to cultivate a
18 degree of capacity.

19 Q. So it's a -- it's a developing capacity
20 of interpersonal skills as relates to reaching
21 across lines to people of different types of
22 diversity.

23 A. Right.

24 Q. Okay.

25 A. In some cases people with whom, perhaps,

1 you haven't had the same opportunity to engage.

2 Q. Uh-huh (yes). Okay. Makes sense.

3 The second one, I think you mentioned
4 some kind of cognitive skill and problem solving.
5 Is that right?

6 A. Yes.

7 Q. Okay. Can you tell me a little about
8 that?

9 A. Certainly. There's research on diverse
10 teams that talks about the fact that when diverse
11 teams defined in a broad and encompassing way are
12 brought together to work on an issue, that there's
13 a benefit from the variety of different
14 intellectual and diverse points of view that are
15 represented.

16 Q. Uh-huh (yes).

17 A. And that while in the short term there
18 has to be a degree and an ability to be able to --
19 to get through some of the dissonance that can be
20 created by all of these different opinions and
21 thoughts and points of view. But at the point at
22 which groups can push beyond that, that there
23 outcomes are -- are much more thoughtful,
24 insightful and elegant.

25 Q. Okay. So I'm going to try to see if I

1 understand what you mean.

2 Is the idea that of different
3 backgrounds will approach a problem in different
4 ways?

5 A. They can, yes.

6 Q. They may.

7 A. Yes.

8 Q. They won't necessarily but people of
9 different backgrounds may approach a particular
10 problem in different ways and different manner?

11 A. Right.

12 Q. And the sharing of those different ways
13 and manners might lead to a, as you said, more
14 elegant solution?

15 A. Yes.

16 Q. Okay.

17 A. One that takes advantage of the -- the
18 heterogeneity of the group.

19 Q. Okay. And so the -- is then the
20 cognitive skill developing that you're referring
21 to, is that then the individual who's exposed to
22 these different ways and different manners of
23 problem solving will develop their own thinking in
24 that regard?

25 A. Well, it's -- it's the idea that

1 whatever kind of perspective or point of view you
2 bring into a diverse space engaging with others
3 can be honed and sharpened against the ideas and
4 perspectives of others, in many cases perspectives
5 that may be different from your own.

6 Q. Okay. And the -- the last of the three
7 educational benefits you identified was increased
8 innovation? Is ---

9 A. Yes.

10 Q. --- that right? Can you tell me what
11 you mean by that?

12 A. The creativity, some -- and it's
13 connected to some degree in terms of the critical
14 thinking piece but the -- the level of creativity
15 and innovation that can come from a diverse team,
16 individuals, different perspectives, points of
17 view, different approaches to solving a problem.
18 Putting those things together and perhaps
19 developing a new way or a new idea or a new
20 knowledge, which is the essence of the academy.

21 Q. Okay. So then I think -- and I think
22 you said -- let's back up.

23 It sounds like from your description, I
24 thought you said the second and third benefits
25 relate.

1 A. I said they could.

2 Q. They could. Okay.

3 A. But perhaps it's clearer to have them
4 stand alone.

5 Q. Okay. Why is that?

6 A. Because I just think I gave two
7 distinctive -- or distinct examples that alone may
8 be clearer than taken together.

9 Q. Okay. Let me see if I can understand
10 the difference between the two.

11 A. Okay.

12 Q. So the cognitive skill and problem
13 solving is a function of collaborating between
14 different perspectives and possible different
15 methods and ways of analyzing a problem. Is that
16 correct?

17 A. Yes.

18 Q. And then increased innovation is
19 distinct, but is it related to some extent because
20 it's also a product of this collaboration of
21 different perspectives?

22 A. I think both can be seen as products of
23 collaboration, but I think that it can be
24 dependent on what the task might be.

25 Q. Okay. All right. When you were running

1 DMA, did you think that UNC was successful at --
2 at obtaining these educational benefits of
3 diversity?

4 A. I think I saw evidence of the
5 educational benefits of diversity playing out.

6 Q. Could you give me some examples?

7 A. Certainly. Being able to watch diverse
8 teams engaging whether that was through the
9 Provost Committee on Inclusive Excellence and
10 Diversity, whether that was with respect to being
11 engaged with various groups of diverse students,
12 whether that was engagement with graduate students
13 on my team, whether that was engagement with
14 faculty.

15 Q. Okay.

16 A. The benefit of the diversity amongst
17 those groups.

18 Q. So I want to ask about the students in
19 particular. Is there a way of -- is there a way
20 for DMA or UNC more broadly to evaluate whether
21 students were developing the cognitive skill in
22 terms of problem solving that relates to
23 diversity?

24 A. So I think that there is a national
25 survey instrument that is administered by many